

ATTORNEY GENERAL BECERRA CHALLENGES BIRTH CONTROL REGULATION ROLLBACK

On October 6, 2017, the Trump Administration released two final rules that jeopardize women's access to cost-free contraceptive coverage provided under the Affordable Care Act (ACA). Attorney General Becerra is fighting back, challenging these illegal actions in court today to protect women and families' access to basic health care. To date, over 62 million women have benefitted from the ACA's birth control coverage requirement – including 13 million women in California – and have saved \$1.4 billion.

In the complaint, Attorney General Becerra alleges that:

These rules violate the **Administrative Procedure Act (APA)**, the requirement that the federal government disclose to Americans its process for changing policy:

- The rules were jammed through without the notice and comment period required by federal law;
- The Trump Administration failed to provide a proper factual or legal basis for these rules; and
- The new birth control regulations undermine the fundamental guarantees in the ACA for women's healthcare.

These rules violate the **Establishment Clause of the First Amendment**.

- They allow employers to use religious beliefs as a right to discriminate against employees to deny them a federally-entitled health benefit.

These rules violate the **Equal Protection Clause of the Fifth Amendment**.

- They specifically target and harm women, thus denying women's rights to equal protection under the law.

Furthermore, this action will have **immediate and irreparable harm on the State of California**.

- Potentially millions of women in California may be left without access to contraceptives and counseling; and
- The State of California will have to shoulder the additional fiscal and administrative burden as women seek access for this coverage through state-funded programs.

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